
24th JANUARY, 1803.

Read the first and second time, and ordered to be committed to a Committee of the whole House on Thursday next.

A B I L L

Supplementary to the "Act concerning Consuls and Vice-Consuls," and for the further protection of American Seamen.

1 **Be it enacted**, by the Senate and House of Representa-
2 tives of the United States of America, in Congress assembled,
3 That before a clearance be granted to any vessel bound on a
4 foreign voyage, the master thereof shall deliver to the collector
5 of the customs, a list, containing the names, places of birth and
6 residence, and a description of the persons [of all the citizens of
7 the United States] who compose his ship's company, to which
8 list he shall make oath, or (if he be a quaker) affirmation, before
9 the said collector, who shall deliver him a certified copy thereof,
10 for which the collector shall be entitled to receive the sum of
11 cents ; and the said master shall moreover enter into bond
12 with sufficient security, in the sum of dollars, that

13 he shall exhibit the aforefaid certified copy of the list to the first
 14 boarding officer, at the first port in the United States, at which
 15 he shall arrive on his return thereto, whose duty it shall be to
 16 examine the men with such list, and to report the same to the
 17 collector ; and it shall be the duty of the collector at the said
 18 port of arrival, (where the same is different from the port from
 19 which the vessel originally sailed) to transmit a copy of the list
 20 so reported to him, to the collector of the port from which said
 21 vessel originally sailed : *Provided*, That the said bond shall not
 22 be forfeited on account of the said master not producing to the
 23 first boarding officer, as aforefaid, any of the persons contained in
 24 the said list, who may be discharged in a foreign country with
 25 the consent of the consul, vice-consul, commercial agent, or vice-
 26 commercial agent there residing, signified in writing, under his
 27 hand and official seal, to be produced to the collector with the
 28 other persons composing the crew as aforefaid ; nor on account
 29 of any such person dying or absconding, or being forcibly im-
 30 pressed into other service, of which satisfactory proof shall be
 31 then also exhibited to the collector.

1 SECT. 2. *And be it enacted*, That it shall be the duty of every
 2 master or commander of a ship or vessel, belonging to citizens of
 3 the United States, on his arrival at a foreign port, to deposit his
 4 register, sea letter, and Mediterranean passport, with the consul,
 5 vice-consul, commercial agent, or vice-commercial agent, (if any
 6 there be at such port ;) that in case of refusal or neglect of the

7 said master or commander, to deposit the said papers as aforesaid,
 8 he shall forfeit and pay dollars, to be recovered by
 9 the said consul, vice-consul, commercial agent, or vice-commer-
 10 cial agent, in his own name, for the benefit of the United States,
 11 in any court of competent jurisdiction ; and it shall be the duty
 12 of such consul, vice-consul, commercial agent, or vice-commercial
 13 agent, on such master or commander producing to him a clearance
 14 from the proper officer of the port, where his ship or vessel may
 15 be, to deliver to the said master or commander all of his said
 16 papers: *Provided*, such master or commander shall have com-
 17 plied with the provisions contained in this act, and those of the
 18 act to which this is a supplement.

1 *SECT. 3. And be it further enacted*, That whenever a ship or
 2 vessel belonging to a citizen of the United States, shall be sold in
 3 a foreign country, and her company discharged, or when a sea-
 4 man or mariner, a citizen of the United States, shall, with his
 5 own consent, be discharged in a foreign country, it shall be the
 6 duty of the master or commander to produce to the consul, vice-
 7 consul, commercial agent, or vice-commercial agent, the list of his
 8 ships' company, certified as aforesaid ; and to pay to such consul,
 9 vice-consul, commercial agent, or vice-commercial agent, for
 10 every seaman or mariner so discharged, being designated on such
 11 list as a citizen of the United States, three months pay, over and
 12 above the wages which may then be due to such mariner or sea-
 13 man, two thirds thereof to be paid by such consul, or commercial

14 agent, to each seaman or mariner so discharged, and the other
 15 months pay to be retained for the purpose of creating a fund for
 16 the payment of the passages of seamen or mariners, citizens of
 17 the United States, who may be desirous of returning to the Unit-
 18 ed States, and for the maintenance of American seamen who
 19 may be destitute, and may be in such foreign port.

1 SECT. 4. *And be it further enacted*, That it shall be the duty
 2 of the consuls, vice-consuls, commercial agents, vice-commercial
 3 agents of the United States, from time to time to provide for the
 4 mariners and seamen of the United States, who may be found
 5 destitute within their districts respectively, sufficient subsistence
 6 and passages to some port in the United States, in the most rea-
 7 sonable manner, at the expense of the United States, subject to
 8 such instructions as the secretary of state shall give: and that all
 9 masters and commanders of vessels belonging to citizens of the
 10 United States, and bound to some port of the same, are hereby
 11 required and enjoined to take such mariners or seamen on board
 12 of their ships or vessels, at the request of the said consuls, vice-
 13 consuls, commercial agents or vice-commercial agents respectively,
 14 and to transport them to the port in the United States to which
 15 such ships or vessels may be bound, on such terms not exceeding
 16 ten dollars, for each person, as may be agreed between the said
 17 master and consul or commercial agent. And the said mariners
 18 or seamen shall, if able, be bound to do duty on board such ships
 19 or vessels according to their several abilities: *Provided*, That no

20 master or captain of any ship or vessel shall be obliged to take a
 21 greater number than two men to every one hundred tons bur-
 22 then of the said ship or vessel, on any one voyage: and if any
 23 such captain or master shall refuse the same on the request or
 24 order of the consul, vice-consul, commercial agent or vice-com-
 25 mercial agent, such captain or master shall forfeit and pay the
 26 sum of dollars for each mariner or seamen so refused,
 27 to be recovered for the benefit of the United States in any court
 28 of competent jurisdiction. And the certificate of any such con-
 29 sul or commercial agent, given under his hand and official seal
 30 shall be *prima facie* evidence of such refusal in any court of law
 31 having jurisdiction for the recovery of the penalty aforesaid.

1 SECT. 5. *And be it further enacted*, That the seventh and
 2 eighth section of the act, intituled, " An Act concerning consuls
 3 and vice-consuls," be and the same are hereby repealed: and
 4 that the secretary of state be authorized to reimburse the consuls,
 5 vice-consuls, commercial agents or vice-commercial agents, such
 6 reasonable sums as they may heretofore have advanced for the
 7 relief of seamen, though the same should exceed the rate of twelve
 8 cents a man per diem.

1 SECT. 6. *And be it further enacted*, That it shall and may be
 2 lawful for every consul, vice-consul, commercial agent and vice-
 3 commercial agent of the United States, to take and receive for
 4 every certificate of discharge of any seaman or mariner in a foreign
 5 port cents; and for commission on paying and receiv-

ing the amount of wages payable on the discharge of seamen in foreign ports, two and a half per centum.

SECT. 7. *And be it further enacted,* That if any consul, vice-consul, commercial agent or vice-commercial agent, shall falsely and knowingly certify, that property belonging to foreigners is property belonging to citizens of the United States, he shall on conviction thereof, in any court of competent jurisdiction, forfeit and pay a fine not exceeding ten thousand dollars, at the discretion of the court, and be imprisoned for any term not exceeding years.

SECT. 8. *And be it further enacted,* That if any consul, vice-consul, commercial agent or vice-commercial agent, shall grant a passport or other paper certifying that any foreigner, knowing him or her to be such, is a citizen of the United States, he shall on conviction thereof in any court of competent jurisdiction, forfeit and pay a fine not exceeding dollars.

SECT. 9. *And be it further enacted,* That all powers of attorney executed in a foreign country for the transfer of any stock of the United States, or for the receipt of interest thereon, shall be verified by the signature and seal of a consul, vice-consul, commercial agent, or vice-commercial agent, if any there be at the place where the same shall be executed.